

**R E M A R K S**

Reconsideration of this application, as amended, is respectfully requested.

**THE CLAIMS**

Independent claim 1 has been amended to clarify the features of the present invention whereby the lens holder holds an objective lens that faces an optical disc, and a center of the magnet in a height direction is located nearer to the optical disc than a center of driving of the lens holder when the lens holder is in a neutral position in which all of the coils of the lens holder are not supplied with electric current. See the disclosure in the specification at, for example, page 1, lines 16-17 with respect to the objective lens facing the optical disc, page 2, lines 3-4 with respect to the lens holder holding the objective lens, page 8, lines 8-9 with respect to the neutral position when all of the coils are supplied with no electric current, and page 8, lines 16-21 with respect to the center of the magnet in the height direction.

In addition, dependent claims 2-4 have been amended to better accord with amended independent claim 1, and claims 1-4 have also been amended to make some minor grammatical improvements and to correct some minor antecedent basis problems

so as to put the claims in better form for issuance in a U.S. patent.

No new matter has been added, and it is respectfully requested that the amendments to the claims be approved and entered.

#### THE PRIOR ART REJECTION

Claims 1 and 2 were rejected under 35 USC 102 as being anticipated by USP 6,857,127 ("Lee et al"), and claims 3 and 4 were rejected under 35 USC 103 as being obvious in view of Lee et al. These rejections, however, are respectfully traversed with respect to the claims as amended hereinabove.

According to the present invention as recited in amended independent claim 1, an objective lens driving apparatus is provided which includes: (i) a lens holder which is provided with a plurality of coils, and which holds an objective lens that faces an optical disc, and which is swingably supported by at least one suspension wire, and (ii) a magnet which supplies a driving force to said lens holder by an electromagnetic action produced between said magnet and said coils. In addition, according to the present invention as recited in amended independent claim 1, a center of the magnet in a height direction is located nearer to the optical disc than a center of driving of

the lens holder when the lens holder is in a neutral position in which all of the coils are supplied with no electric current.

With this structure, when the center of the magnet in the height direction is located nearer to the optical disk than the center of driving of the lens holder, a tilt change with respect to a shift of the lens holder can be reduced as compared with the conventional apparatus.

By contrast, it is respectfully submitted that Lee et al does not disclose, teach or suggest an objective lens driving apparatus wherein a center of the magnet in a height direction is located nearer to the optical disc than a center of driving of the lens holder when the lens holder is in a neutral position in which all of the coils are supplied with no electric current, as according to the present invention as recited in amended independent claim 1.

In this connection, it is noted that Fig. 7 of Lee et al illustrates initial relative positions of each magnet of the pair of magnets 50 and the plate coil 60, and that Lee et al discloses that if position control of the objective lens 10 is performed, current flows through the plate coil 60, and thus the blade 20 moves and that the plate coil 60 is fixed in the blade 20. See column 3, lines 57-62 of Lee et al.

It is respectfully submitted that in Lee et al, the initial relative positions of each magnet of the pair of magnets 50 and

the plate coil 60 corresponds to the neutral position in which all coils are not supplied with any electric current. However, as can be seen from Fig. 7 and the description at column 3, lines 42-56 of Lee et al, it is clear that the center of the pair of magnets 50 in the height direction is not located upward with respect to the horizontal line H (see Fig. 6 of Lee et al) passing through the center of the focusing coil 61a of the focusing substrate 61. Instead, in Lee et al the center of the pair of magnets 50 in the height direction is actually located downward with respect to the horizontal line H.

It is respectfully pointed out, moreover, that Figs. 8A-9B of Lee et al do not illustrate a neutral position in which all of the coils are not supplied with any electric current as per the claimed present invention, but rather illustrate the relative positions of each magnet of the pair of magnets 50 and the plate coil 60 when focusing control is performed downward, and thus, when the blade 20 descends in the lowest position.

In summary, it is respectfully submitted that the center of the pair of magnets 50 in the height direction in Lee et al is clearly not located nearer to the optical disc than a center of driving of the lens holder when the lens holder is in a neutral position in which all of the coils are supplied with no electric current, as according to the present invention as recited in amended independent claim 1. And it is respectfully submitted

that the structure disclosed in Lee et al cannot achieve the above described advantageous effect achieved by the structure of the claimed present invention whereby the tilt change with respect to a shift of the lens holder can be reduced.

In view of the foregoing, it is respectfully submitted that the present invention as recited in amended independent claim 1, and each of claims 2-4 depending therefrom, clearly patentably distinguishes over Lee et al under 35 USC 102 as well as under 35 USC 103.

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Entry of this Amendment, allowance of the claims and the passing of this application to issue are respectfully solicited.

If the Examiner has any comments, questions, objections or recommendations, the Examiner is invited to telephone the undersigned for prompt action.

Respectfully submitted,

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